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## OVERVIEW

Every reasonable effort must be made to maintain the stability of a foster care placement. When it is necessary to move a child, the original placement selection criteria and standards apply; see [FOM 722-03, Placement Selection and Standards](#). A re-evaluation of the placement selection criteria is required and must be documented in the case service plan. The caseworker must consider the following placement options, in order, whenever a placement change is necessary:

1. If the child's permanency goal is reunification, the caseworker must recommend return home unless return to the parent would cause a substantial risk of harm to the child's life, physical health, or mental well-being.
2. Placing the child with siblings or with a suitable relative if return to the parental home cannot occur.

**Exception:** The placement change of an Indian child must follow the established placement priorities in [NAA 215, Placement/Replacement Priorities for Indian Child\(ren\)](#).

## PLACEMENT CHANGE REASONS

A child's placement may not be changed prior to giving the caregiver notice and opportunity to appeal the placement change unless:

- The foster parent or caregiver requests the child be moved.
- The court with jurisdiction orders the child to return home.
- The change in placement is less than 30 calendar days after the child's initial removal from their home.
- The change in placement is less than 90 calendar days after the initial placement and the new placement is with a relative.

A caregiver has the right to appeal the placement change under the following circumstances; see *Caregiver Appeal to the Foster Care Review Board* in this item:

- The supervising agency has reasonable cause to believe the child has suffered sexual abuse or non-accidental physical

injury, or there is **substantial** risk of harm to the child's emotional well-being or physical safety within the caregiver's home; see *Suspected Abuse/Neglect by the Caregiver* in this item.

- It is determined the move is in the child's best interest; see *Best Interest* in this item.

### **Suspected Abuse/Neglect by the Caregiver**

When a caseworker suspects a child in foster care has suffered sexual abuse or non-accidental physical injury, or there is a substantial risk of harm to the child's emotional well-being or physical safety in the caregiver's home, a CPS complaint and a licensing complaint must be made immediately; see [FOM 722-13, Referrals to CPS](#). Additionally:

- If the caseworker believes the child is at substantial risk in the home, then child must be moved immediately.
  - If the child is moved due to the allegations, the caregiver may appeal the decision to the Foster Care Review Board (FCRB). The appeal does not prevent the move; see *Caregiver Appeal* below.
- The caseworker must comply with the policy requirements outlined in [FOM 722-13A, Maltreatment in Care - Foster Care Responsibilities](#).
- If the child remains placed in the home during the investigation, the caseworker must establish a safety plan to address the identified concerns.

### **Best Interest**

Placement changes made in the best interest of the child may include but are not limited to situations when:

- The child's needs are no longer being met by the current caregiver.
- The child is placed with an unrelated foster family and there is a suitable relative available for placement.

- There is an available placement that will reunite a separated sibling group.

If the caseworker and supervisor determine it is in the child's best interest to change placements:

- A Family Team Meeting (FTM) must be held at least three business days prior to a best interest placement change to allow interested parties the opportunity to participate in the decision; see *Family Team Meeting* in this item and [FOM 722-06B, Family Team Meeting](#).
- The supervisor must approve the move before a change of placement is made.
- If the child is an MCI ward and the current caregiver expresses either a verbal or written interest in adopting the child, the MCI superintendent must be consulted prior to the placement change.

The caregiver may appeal the decision to the FCRB; see *Caregiver Appeal to the Foster Care Review Board* in this item.

## FAMILY TEAM MEETING

A family team meeting (FTM) is required to be held at least three business days prior to a planned placement change, or no later than three business days after an unplanned placement change; see [FOM 722-06B, Family Team Meeting](#).

## NOTIFICATION OF MOVE

### Parent

The caseworker must notify the child's legal parents of all placement changes.

- Notification for planned placement changes must occur prior to the placement change so the parents have the opportunity to participate in selection of the next placement; see [FOM 722-03, Placement Selection and Standards](#).

- For emergency placement changes, the caseworker must notify the child's legal parents immediately but no later than one business day following the placement change.

***Exception:*** For youth who are absent without legal permission (AWOLP), the caseworker must inform the legal parents of the absence within 24 hours; see [FOM 722-03A, Absent Without Legal Permission \(AWOLP\)](#).

### Foster Parent

The caregiver must be notified of the intent to move the child 14 days prior to the intended date of the move unless the child's health or safety is jeopardized. The [DHS-30, Foster Parent/Caregiver Notification of Move](#), must be used to notify the caregiver of the intent to move the child.

The DHS-30 contains information for the caregiver regarding whether the right to appeal the placement change exists based on the placement change reason and instructions for exercising their right to appeal; see *Caregiver Appeal to the Foster Care Review Board* in this item.

The DHS-30 must be uploaded to MiSACWIS in the document hyperlink in the child's placement record.

### MCI Superintendent

If the child is an MCI ward and the current caregiver expresses either a verbal or written interest in adopting the child, the MCI superintendent must be consulted prior to the placement change.

### Court and Child's Lawyer-Guardian Ad Litem

The supervising agency must notify the court with jurisdiction over the child and the child's lawyer-guardian ad litem of the change in placement using the [DHS-69, Foster Care/Juvenile Justice Action Summary](#); see [FOM 722-08E, Foster Care/Juvenile Justice Action Summary](#) for standards of promptness for planned and emergency placement changes.

## Foster Care Review Board

The caseworker must notify the State Court Administrative Office (SCAO) FCRB of the proposed placement change if the caregiver has a right to appeal the placement change; see *Placement Change Reasons* in this item. A copy of the [DHS-30, Foster Parent/Caregiver Notification of Move](#), must be sent to the FCRB.

Foster Care Review Board Program  
Michigan Hall of Justice  
P.O. Box 30048  
Lansing, MI 48909  
Phone: 517-373-3122  
Fax: 517-373-8922

If the MCI superintendent has denied the caregiver's request for consent to adoption and decides the child must be moved, the caseworker must inform the FCRB when providing notification. The FCRB will not review these appeal requests. The FCRB will inform the caregiver that they must contact the MCI superintendent or an attorney about their options for appeal of the consent decision.

## Child's Tribe

The caseworker must send a copy of the [DHS-30, Foster Parent/Caregiver Notification of Move](#), to the child's tribe no later than the business day after giving the DHS-30 to the foster parent or caregiver.

The caseworker must provide the [DHS-69, Foster Care/Juvenile Justice Action Summary](#), to the child's tribe; see [FOM 722-08E, Foster Care/Juvenile Justice Action Summary](#) for standards of promptness for planned and emergency placement changes.

## CAREGIVER APPEAL TO THE FOSTER CARE REVIEW BOARD

If the caregiver has the right to appeal the move to the FCRB, the supervising agency may only move the child prior to completion of the appeal process if the child is being moved due to alleged sexual abuse, non-accidental physical injury, or a **substantial** risk of harm to the child's emotional well-being or physical safety; see

*Placement Change Reasons* in this item. The appeal process is complete when one of the following occurs:

- The FCRB concurs with the decision to move the child.
- The court orders the child to be moved.
- In the case of an MCI ward, the MCI superintendent determines where the child must be placed.

## Appeal Process

Upon receipt of the DHS-30, the caregiver has three business days to appeal the placement decision.

Once the FCRB has received an appeal, it will notify the supervising agency of the appeal. No later than the business day following notification from FCRB of the caregiver's appeal, the supervising agency must notify:

- The MDHHS local office, if a placement agency foster care (PAFC) provider is supervising the child.
- The child's tribe, if the child is an Indian child.

Prior to the FCRB investigation, the supervising agency must review the decision to move the child and respond to the FCRB with the justification for the placement change and any other relevant information.

**Note:** If the supervising agency informs the FCRB that the child will not be moved and the issues have been resolved, an investigation will not take place.

The FCRB will investigate the reasons for the move within seven days of receiving the appeal from the caregiver.

Within three days after the investigation, the FCRB will supply its findings and recommendations to the caregiver, the parents, the supervising agency, and the MCI superintendent, if the child is an MCI ward.

- If the FCRB finds the proposed move is in the child's best interest, the child will be moved.
- If the FCRB's finding is contrary to the supervising agency's recommendation, the child will remain in the placement, except when the child was moved from the foster home due to suspected sexual abuse, non-accidental physical injury, or

substantial risk of harm to the child's emotional well-being or physical safety, until the court or MCI superintendent has rendered an order or a decision regarding the child's placement.

### ***Temporary Wards***

For temporary wards, if FCRB does not agree with the supervising agency's recommendation to move the child, the FCRB will notify the court with jurisdiction over the child of the disagreement.

The court must schedule a hearing not less than seven days and no more than 14 days after receiving the notice of disagreement from the FCRB. The court must notify the caregiver, all interested parties, and the prosecutor's office of the hearing.

At the hearing, the court will take testimony from all interested parties and evidence will be considered. The court will make a finding on the record about the child's placement.

If the court finds it is in the best interest of the child to be moved, it will enter an order authorizing placement of the child elsewhere. If the court believes the child should remain in the same placement, it will enter an order continuing the placement. The court may also order the child returned to the caregiver, even if the child was moved from the home due to suspected sexual abuse or non-accidental physical injury.

**Note:** A court order that orders a child to be moved or remain in the same placement or specifies placement eliminates Title IV-E eligibility for that child. Federal regulations allow for an exception if certain criteria are met; see [FOM 902, Court Ordered Placement Exception](#).

### ***MCI Wards***

In the case of an MCI ward, if FCRB does not agree with the supervising agency's recommendation to move the child, the FCRB will notify the MCI superintendent of the disagreement.

Within 14 days of receipt of the notification of disagreement, the MCI superintendent must make a placement decision and notify the caregivers and the supervising agency of the decision.

**When Placement  
Change Is Not  
Appealed**

If the caregiver does not appeal the move within three business days from the receipt of the notice, the child may be moved. To comply with Child Placing Agency Rule 400.12405, the agency must not move the child for 14 days after notice. This allows the caregiver and the child time to transition to the next placement. If prior notice is not given, the agency must notify the caregiver, at the time of the change, why prior notice was not given.

**DOCUMENTATION**

The caseworker must update the child's placement in MiSACWIS. The change of placement must be documented on the [DHS-69, Foster Care/Juvenile Justice Action Summary](#); see [FOM 722-08E, Foster Care/Juvenile Justice Action Summary](#) for standards or promptness for planned and emergency placement changes. The DHS-69 must be uploaded to MiSACWIS in the document hyperlink in the child's placement record.

**Provided to  
Previous Caregiver**

The caseworker must provide the [DHS-30, Foster Parent/Caregiver Notification of Move](#), to the previous caregiver at least 14 calendar days prior to moving the child from a foster home, relative caregiver, or court-ordered unrelated caregiver.

**Provided to New  
Caregiver**

See [FOM 722-03, Placement Selection and Standards](#), for documents that must be provided to the new caregiver at or before the time of placement.

**CASEWORKER  
CONTACTS**

The caseworker must have at least two face-to-face contacts per month with the child for the first two months following a placement change. The first face-to-face contact must take place within five business days of the placement move. For placement change contact standards; see [FOM 722-06H, Case Contacts](#).



## TEMPORARY BREAKS

The caseworker must update the child's placement in the placement section of MiSACWIS when the child enters any of the following temporary breaks:

- AWOLP
- Detention.
- Jail.
- Medical hospitalization.
- Psychiatric hospitalization.

See [FOM 903-07, Temporary Breaks/Bed Hold Payments](#).

If the child returns to the same placement where they resided prior to the temporary break, new placement documentation is not required to be provided to the caregiver.

**Exception:** The caseworker must provide the caregiver with an updated [DHS-221, Medical Passport](#), if the child received health services during the temporary break.

### Caseworker Contacts for Temporary Breaks

The caseworker must make monthly face-to-face contact with the child during the temporary break. Increased change of placement contacts are not required when a child enters one of the temporary breaks listed above.

#### ***Returning to the Prior Placement After the Break***

If the child returns to the previous placement after a temporary break, increased change of placement contacts are not required.

**Exception:** When a child returns from AWOLP, a face-to-face contact must occur within the first 5 business days; see [FOM 722-03A, Absent Without Legal Permission \(AWOLP\)](#).

#### ***Entering a New Placement After the Break***

If a child does not return to the placement where they resided prior to the temporary break, the placement change timeframes and

documentation requirements in this item apply; see *Documentation* in this item.

## LEGAL BASE

### State

***Probate Code, 1939 PA 288, as amended, MCL 712A.13b***

Change in foster care placement.

### Licensing Rule

***Mich Admin Code, R 400.12405***

Change of placement.

## POLICY CONTACT

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox](mailto:Child-Welfare-Policy@michigan.gov) ([Child-Welfare-Policy@michigan.gov](mailto:Child-Welfare-Policy@michigan.gov)).